

WASHINGTON D.C.—On March 19, 2009, Congressman Joe Sestak (PA-07) introduced legislation to improve the level of care provided to military children with Autism Spectrum Disorders (ASD). Last session, Congressman Sestak successfully placed an amendment into the National Defense Authorization Act that enhanced the funding and research for autism for military families, increasing it by 100 percent. This new legislation would ensure treatment which is considered medically necessary for a child with ASD will be covered by TRICARE for military families.

“Providing improved coverage for autism therapies for military families will have far reaching effects for non-military families who are currently fighting for autism insurance reform in many states across the country,” said Congressman Sestak. “We cannot allow our children with autism to be shortchanged. With access to the right, medically-necessary, evidence-based therapies like Applied Behavioral Analysis, these children can make incredible gains and reach their full potential.”

Specific Provisions of this bill include:

- Ensures treatment of Autism Spectrum Disorders are provided if a health care professional determines that the treatment is medically necessary, and include:
- Habilitative or rehabilitative care
- Pharmaceutical agents
- Psychiatric care
- Psychological care
- Speech therapy
- Occupational Therapy
- Physical Therapy
- Group Therapy, if necessary to develop, maintain, or restore skills
- Any other care or treatment determined to be medically necessary

Ensures beneficiaries under the age of 5 who have developmental delays and are at risk for Autism may not be denied access to treatment if treatment is medically necessary.

Ensures the use of applied behavioral analysis or other structured behavior programs may not be considered special education by TRICARE.

Ensures authorized providers of applied behavior analysis or other structured behavior programs are licensed or certified by a state, the Behavior Analyst Certification Board, or other accredited national certification board.

Ensures all employees or subcontractors of authorized providers are also certified and meet minimum qualification standards.

Calls for updated provisions to be prescribed within 180 days of enactment.

Autism is a condition that affects 1 in every 150 American children, and is more common than pediatric cancer, diabetes, and AIDS combined. A new case is diagnosed every 20 minutes, making it the fastest-growing serious developmental condition in the United States. If this escalating trend continues, the prevalence of autism could reach some 4 million Americans within the next decade. There are currently over 13,000 children of active duty service members with ASD, meaning 1 out of every 88 child of a military service member. This is nearly double the national rate.

The Congressman's legislation will also serve as a template for states who are currently seeking to institute autism insurance reform. For example eight states have already passed autism insurance reform legislation that requires private insurance companies to provide coverage of Applied Behavioral Analysis and other structured behavioral treatments. Military families face the additional challenges which come with frequent relocations to new duty stations across the country and around the world. This legislation will provide a stable level of coverage for these critical services.

*Born and raised in Delaware County, former 3-star Admiral Joe Sestak served in the Navy for 31 years and now serves as the Representative from the 7th District of Pennsylvania. He led a series of operational commands at sea, including Commander of an aircraft carrier battle group of 30 U.S. and allied ships with over 15,000 sailors and 100 aircraft that conducted operations in Afghanistan and Iraq. After 9/11, Joe was the first Director of "Deep Blue," the Navy's anti-terrorism unit that established strategic and operations policies for the "Global War on Terrorism." He served as President Clinton's Director for Defense Policy at the National Security Council in the White House, and holds a Ph.D. in Political Economy and Government from Harvard University. According to the office of the House Historian, Joe is the highest-ranking former military officer ever elected to the U.S. Congress.*

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